

United States District Court
Eastern District of Virginia

Guide to Changes to the Local Rules

Effective March 8, 2004

This revision of the Local Rules created entirely separate sets of Civil and Criminal Local Rules, as well as the changes to particular Local Rules described below.

Local Civil Rules

Rule	Title	Type of Change
1	Scope of Rules	Minor change as a result of separating the civil and criminal rules.
3	Area and Divisions	No changes.
4	Service and Return of Summons – Abatement	No changes.
5	Designation and Handling of Under Seal Documents	Added entirely new rule to address Fourth Circuit case law.
7	Motions – Continuances – Court Orders	Changes to omit personal identifiers from court documents, to specify type size and style so that type is large enough to read easily, and to delete requirement that motions for continuances be considered by the court in the presence of all counsel.

7.1	Financial Disclosure	Changed to require disclosure of partners in non-publicly traded companies and to comport with filing deadline required by the Federal Rules of Civil Procedure.
16	Pretrial Conference	Minor change as a result of separating the civil and criminal rules.
26	Discovery and Disclosure	Changed title to more accurately reflect content of the rule.
30	Depositions – Expenses – Summaries – Reviewing Depositions	No changes.
37	Untitled (Discovery Issues)	Changed as a result of separating the civil and criminal rules and added section to clarify that rule also applies to disclosure.
38	Demand for Jury Trial	No changes.
45	Subpoenas	Minor change as a result of separating the civil and criminal rules.
47	Jurors	Moved language from Local Civil Rule 83.5 to Local Civil Rule 47 to create new subsection (C). Deleted Local Civil Rule 83.5.
48	Number of Jurors – Civil Actions	Deleted Local Rule 48. Rule already exists in the Federal Rules of Civil Procedure.
51	Proposed Jury Instructions and Voir Dire	Minor change as a result of separating the civil and criminal rules.
54	Costs – Notice of Appeal – Jury Costs	Changed to specify date from which the filing deadline will be determined.
56	Summary Judgment	Changed to add section about not filing separate motions.
62	Appeal Bond – Exemption From	No changes.
65	Sureties – Security – Bondsman	Minor change as a result of separating the civil and criminal rules.
67	Deposits Into Court	No changes.
71A	Land Condemnation Actions	No changes.

72	United States Magistrate Judges – Duties	No changes.
79	Exhibits	Changed to clarify procedures for submitting, maintaining custody over, and disposing of exhibits.
80	Official Court Reporters Transcripts – Hearing on Transcripts – Record on Appeal	Minor change as a result of separating the civil and criminal rules.
83.1	Attorneys and Pro Se Parties	Changed as a result of separating the civil and criminal rules and to specify that federal government attorneys are not required to pay the admission fee if appearing on behalf of the United States and that federal government attorneys must secure local counsel by working with an AUSA assigned to the EDVA.
83.2	Sales and Distribution of Proceeds of Sales	No changes.
83.3	Photographing, Broadcasting and Televising in Courtroom and Environs	No changes.
83.4	Habeas Corpus and Proceedings In Forma Pauperis	No changes.
83.5	Communication With Jurors	Deleted Local Civil Rule 83.5, moving its language to Local Civil Rule 47 to create a new subsection (c) of that rule.
83.6	Settlement and Alternative Dispute Resolution	No changes.

Local Criminal Rules

Rule	Title	Source of Change
1	Scope of Rules	Added to conform to Local Civil Rule 1 as a result of separating the civil and criminal rules.
5	United States Magistrate Judges – Duties	Added to conform to Local Civil Rule 72 as a result of separating the civil and criminal rules.
6	Grand Jury	Changed to reflect the current practices of the Court.
12	Criminal Cases – Motions	Changed to conform to Local Civil Rule 7, requiring written briefs set forth concise statements of the facts and supporting reasons, along with a citation of authorities upon which the movant relied.
12.4	Financial Disclosure	Added to conform to Local Civil Rule 7.1 as a result of separating the civil and criminal rules.
17	Subpoenas	Added to conform to Local Civil Rule 45 as a result of separating the civil and criminal rules.
18	Area and Divisions	Added to conform to Local Civil Rule 3 as a result of separating the civil and criminal rules.
24	Trial Jurors	Added to conform to Local Civil Rules 47 and 83.5 as a result of separating the civil and criminal rules.
30	Proposed Jury Instructions and Voir Dire	Added to conform to Local Civil Rule 51 as a result of separating the civil and criminal rules.
32.2	Sales and Distribution of Proceeds of Sales	Added to conform to Local Civil Rule 83.2 as a result of separating the civil and criminal rules.
46	Sureties – Security – Bondsman	Added to conform to Local Civil Rule 65 as a result of separating the civil and criminal rules.

47	Motions – Continuances – Court Orders	Added to conform to Local Civil Rule 7 as a result of separating the civil and criminal rules. Deleted requirement that motions for continuances be considered by the Court in the presence of all counsel.
49	Designation and Handling of Documents Under Seal	Entirely new rule to address Fourth Circuit case law. Similar to the new Local Civil Rule 5.
53	Photographing, Broadcasting and Televising in Courtroom and Environs	Added to conform to Local Civil Rule 83.3 as a result of separating the civil and criminal rules.
55	Exhibits	Changed to clarify procedures for submitting, maintaining custody over and disposing of exhibits. Added new section concerning biological and scientific evidence.
57.1	Free Press – Fair Trial Directives	Renumbered; formerly Local Criminal Rule 57. Similar to Local Civil Rule 83. Added “law enforcement personnel” to those associated with the prosecution or defense of a case as it relates to the prohibition to release any extrajudicial statements.
57.2	Costs – Notice of Appeal	Added to conform to Local Civil Rule 54 as a result of separating the civil and criminal rules.
57.3	Official Court Reporters Transcripts – Hearing on Transcripts – Record on Appeal	Added to conform to Local Civil Rule 80 as a result of separating the civil and criminal rules.
57.4	Attorneys and Pro Se Parties	Added to conform to Local Civil Rule 83.1 as a result of separating the civil and criminal rules.
58	Collateral Payments	No changes.